

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 14-3022 PSG (ASx) Date May 5, 2014

Title Battiest v. Bayer Healthcare Pharmaceuticals, Inc., *et al.*

Present: The Honorable Philip S. Gutierrez, United States District Judge

Wendy Hernandez

Deputy Clerk

Not Reported

Court Reporter / Recorder

Attorneys Present for Plaintiff(s):

Not Present

Attorneys Present for Defendant(s):

Not Present

**Proceedings: (In Chambers) Order to Show Cause re: Dismissal for
Improper Joinder**

On April 18, 2014, multiple Plaintiffs, totaling 27 in number, filed an action against Bayer Healthcare Pharmaceuticals, Inc., Bayer OY, and Bayer Pharma AG (collectively, “Defendants”) alleging claims for injuries Plaintiffs say they suffered after using a contraceptive device designed, manufactured, and marketed by Defendants. *See generally Compl.* However, the Complaint fails to assert class allegations or that Plaintiffs are properly joinder under Federal Rule of Civil Procedure 20(a). *See id.* Nor does it appear that Plaintiffs assert a right to relief “arising out of the same transaction or occurrence.” *See Coleman v. Quaker Oats Co.*, 232 F.3d 1271, 1296 (9th Cir. 2000) (citing Fed. R. Civ. P. 20(a)). Accordingly, the Court orders Plaintiffs to show cause in writing no later than **May 27, 2014** why this action should not be dismissed without prejudice on the grounds of improper joinder of parties. Mandatory chambers copies are to be delivered to Chambers. Failure to respond by the above date will result in the Court **dismissing** this action.

The Court further orders Plaintiffs to promptly serve this minute order on any Defendant who has been served with the Complaint, or who is served before the date specified above.

IT IS SO ORDERED.